

To: LICENSING AND SAFETY COMMITTEE
19 OCTOBER 2023

HACKNEY CARRIAGE AND PRIVATE HIRE TRADE MEETING UPDATE Service Lead - Public Protection

1 Purpose of Report

- 1.1 To summarise the work of the Taxi Trade Group since the last Licensing and Safety Committee meeting, inform Members about any matters raised and where appropriate agree a way forward on queries raised at the meeting.

2 Recommendations

That the Committee:

- 2.1 **NOTES** the content of the report and;
- 2.2 **NOTES** the positive ongoing dialogue between the trade and the Council.

3 Reasons for Recommendations

- 3.1 The Group has been set up to provide an opportunity for the Taxi Trade, Members and Officers to meet to discuss a range of topics of common interest, to provide a forum to resolve issues and foster closer working relationships, to undertake informal consultation and then report back to the Licensing and Safety Committee with any recommendations for alterations to the existing or proposed licences, policies, tariffs and fees etc.
- 3.2 It has previously been agreed that we will hold two scheduled meetings a year. One in January to discuss, amongst other things, the outcome of the annual fees and charges statutory consultation and to hold initial discussions about any changes to the tariff scheme to be consulted on and if appropriate implemented later during that year. The second meeting, which will usually be held in October would include a discussion on the fees and charges pertaining to the trade before the formal consultation process is started and to provide feedback on the tariff consultation. Ad hoc meetings can be arranged to discuss any matters of concern or interest during the year. The Chairman has raised the possibility of holding additional meetings throughout the year.

4 Alternative Options Considered

- 4.1 None - the meetings are seen as a good opportunity to engage in meaningful dialogue with the trade in an attempt to reach agreement on a wide number manner of topics affecting them.

5 Supporting Information

- 5.1 Since the Licensing and Safety Committee meeting on the 22 June 2023 one liaison meeting has been held. This meeting took place on the 09 October 2023.
- 5.2 The main focus of this meeting was to:
- receive feedback on the Hackney Carriage and Private Hire Licensing Policy (“the policy”) which was the subject of a public consultation run from the 08 July to 30 September 2022.

- to discuss the fees and charges for 2024/25.
- to consider the outcome of the knowledge test consultation which was undertaken between the 11 July and the 28 July 2023.

All of these items are included as separate agenda items at this meeting.

5.3 There were six members of the trade in attendance at this meeting. A summary of the comments received on the agenda items is set out below.

Fees and Charges 2024/25

5.4 The trade representatives commented that any increase in the fees was not sustainable for the trade and was likely to further decrease the number of local drivers and operators. The trade had still not recovered from the pandemic and were now being impacted by other factors such as the cost of living crisis and the train strikes. Many drivers had already left the trade. In their opinion increasing the fees would make the situation untenable as many of them were struggling to make a decent living already. They were firmly of the opinion that the fees should be frozen for another year.

Outcome of the Knowledge Test Consultation

5.5 Similarly to the consultation the views on the retention of the geographical element of the knowledge test were mixed at the meeting. Those trade members that supported the retention of the test stated that it created a point of difference and local drivers would be perceived as more professional. It was important that drivers had a good local knowledge and were able to take passengers on the shortest, quickest route. It was also noted that it was possible to make a mistake when entering a post code which could result in a passenger being taken to the wrong destination or via a more expensive route which would not happen if a driver was familiar with their local area. It was agreed that this comment would be added to the outcome of the consultation document.

5.6 Comments were received that this test should remain in place for hackney carriage drivers but that it was less relevant for pre-booked journeys (private hire vehicles). It was suggested that if the changes were made, associated policies and conditions needed to stipulate that any private hire drivers that switched to becoming dual or hackney carriage drivers would then need to take the test before their hackney carriage licence was issued. There was support for the removal of the requirement for home to school drivers to take the test.

5.7 Those in support of removal of the requirement commented that since new technology was introduced there was no need for private hire drivers to undergo this part of the test anymore. Many of their journeys were out of district in any event which was not covered in the testing. Drivers using the GPS technology were also able to establish quicker journeys before setting off and would also know for example if there had been a road traffic accident or other sudden road closure that they would need to avoid. Removal of this requirement would make it easier to recruit new drivers. Drivers would still have to undertake a practical driving assessment and had to abide by the statutory condition that they could not become a driver until they had held a licence for at least a year.

Hackney Carriage and Private Hire Licensing Policy

- 5.8 The trade noted that a number of changes had been made to this policy following the consultation exercise.
- 5.9 They queried the requirements around the **inclusion of CCTV** (section 19 CCTV in Vehicles). Officers explained that unlike many other authorities it was not proposed that there was a requirement for vehicles to have CCTV. The policy only stipulated that if a vehicle did have CCTV it needed to comply with data protection requirements.
- 5.10 The trade did not support the changes that had been made in relation to the **medical examination (section 51)**. The trade were of the opinion that the proposed Group 2 standards were more applicable to lorry and bus drivers and should not be applied to taxi drivers. They also did not support the frequency of the testing proposed in the policy. They commented that they would like to see the data in terms of accidents where people had been killed or injured involving taxis and that this was an example of amending policies to mitigate risks that did not exist. Officers were not able to find publicly available data on accident statistics relating specifically to taxis.
- 5.11 By way of background the DVLA (Driver and Vehicle Licensing Agency) specify medical standards for different groups of drivers. Group 1 includes motor cars and motorcycles. Group 2 includes Large Good Vehicles (LGV) (category C), e.g. lorries; and Passenger Carrying Vehicles (PCV) (category D), e.g. buses.
- 5.12 The medical standards for Group 2 drivers are higher than those for Group 1 because of the size and weight of the vehicle. They also reflect the higher risk caused by the length of time the driver may spend at the wheel in the course of their occupation. The medical standards can be found [here](#).
- 5.12 Responsibility for determining the standards, including medical requirements, to be applied to taxi drivers, over and above the driver licensing requirements, rests with the Local Authority. It is generally recommended that the Group 2 medical standards applied by DVLA in relation to bus and lorry drivers, should also be applied by local authorities to taxi drivers because they carry members of the public who have expectations of a safe journey; they are on the road for longer hours than most car drivers; and they may have to assist disabled passengers and handle luggage. A quick search of google will show that a large proportion of local authorities have chosen to apply this standard.
- 5.13 The DVLA website confirms that Group 2 licensing entitlement is valid for a maximum of five years. Group 2 licences must be renewed every five years or at age 45, whichever is the earlier, until the age of 65 when they are renewed annually without an upper age limit. Shorter licences may be issued for medical reasons. Members may wish to consider the intervals on the policy in light of this information.
- 5.14 The trade queried the **frequency of MOT test** requirements. The draft policy states that in order to ensure licensed vehicles are fit for the road and safe to drive, licence holders will need to provide additional MOT pass certificates in accordance with the table at the end of section 17. Vehicles under four years in age needed to be tested annually whilst vehicles aged four years and over would need to be tested twice a year.
- 5.14 The previous guidance notes and conditions state (14.1) that vehicles up to five years old from the date of first registration at DVLA will be subject to an annual inspection.

Once a licensed vehicle reaches five years old from date of first registration, it will require an inspection within the next six months, and will be subjected to six-monthly inspections thereafter.

- 5.15 The trade therefore requested that consideration be given to reverting to the requirements of the existing guidance i.e., annual testing for vehicles of up to five years and then every six months thereafter.
- 5.16 The trade also raised concerns around the requirements to include **card payment facilities** in vehicles (section 26). The draft policy includes a requirement for all taxis to be able to accept card payments albeit that the Committee was being asked to determine the timescales for introducing this change. This would be a matter for Members to determine at this meeting in order to make a recommendation to full Council.
- 5.17 It was noted by the trade that the **age of vehicle requirements** were being replaced by emissions criteria. The draft policy presented to them stated at paragraph 12.3 that from 1st April 2025 all renewal vehicle applications must be Euro5 or Euro6 compliant unless they are ultra-low emission vehicles (ULEVs) or electric vehicles (EVs), with wheelchair accessible vehicles (WAVs) remaining exempt. This reflected the Council's policies around reducing carbon emissions, took into consideration that many vehicles had not done a lot of mileage during the pandemic and improvements in standards of modern vehicles. They requested that interim arrangements be put in place to bridge the current standards with the revised standards being implemented in 2025. Members will be asked to consider the revised proposals set out in the policy relating to this issue as amendments have been made to the version included in the TTM iteration.
- 5.18 The trade were concerned that the **requirements of the West Berkshire Taxi Policy** were being imposed on them. Officers explained that the West Berkshire iteration of the policy was still in draft form and a decision had been made that the policies did not have to be aligned. The West Berkshire version was still being developed and therefore could not be seen to be influencing the Bracknell version.
- 5.19 The following matters were raised in addition to the items on the agenda:
- the Chairman wished to review the frequency of these meetings. This would need to be discussed with officers in light of the resourcing implications.
 - the trade would discuss any proposed modifications to the tariffs and if any changes were required they would submit a business case in line with previously agreed procedures. Comments were received that some members of the trade would not support an increase in tariffs at this point in time, despite rising costs, as this would further damage the local trade.
- 5.20 The trade were informed that the PPP had also successfully recruited three new Licensing Officers (2.6FTE).
- 5.21 It was hoped that Members, the trade and officers would continue to build on the good relationships being developed at these meetings. The next meeting would take place on the 16 January 2024. This meeting would focus on the outcome of the statutory fee consultation and any proposals around variations to the fees. If any modifications were proposed, they would be the subject of a public consultation later in the calendar year.

Consultation and Other Considerations

Legal Advice

6.1 None

Financial Advice

6.2 None

Other Consultation Responses

6.3 Not applicable

Equalities Impact Assessment

6.4 Not applicable

Strategic Risk Management Issues

6.5 Not applicable

Climate Change Implications

Contact for further information

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